



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Attwood et al.** § Group Art Unit: **2174**
Serial No.: **09/503,608** § Examiner: **Tran, Ellen C.**
Filed: **February 11, 2000** § Attorney Docket No.: **RSW00-0010**
For: **Technique of Defending** §
Against Network Flooding Attacks §
Using a Connectionless Protocol §

AFFIDAVIT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Monica Gamez, being of sound mind and legal age, and fully aware of the punishable nature of making untrue statements as Affiant herein, do hereby attest to personal knowledge of the following:

I am employed by the law firm of Yee & Associates, P.C. (the "Firm"), as a Legal Assistant, in which capacity I personally receive all client related materials requiring further action and docketing on behalf of the Firm and IBM Corporation (the "Client").

On the mailing date of the Office Action in question, I was employed full time by the Firm and have no record of receipt of said Office Action mailed in April, 2005, per Examiner Tran. On October 26, 2005 the Firm received a call from Examiner Tran asking applicant if a response had been filed. The Firm immediately contacted the Client to inform them of the situation and to ask if they had received a copy of the Office Action instead. They notified me that they had not received the Office Action.

When an Office Action is received, I immediately enter it into the docketing system the Firm uses and forward a copy to our client. I then forward the Office Action for assignment to one of the Firm's attorneys or agents. The docketing system the Firm uses does have a specific place to enter when an Office Action is received, and the Office Action mailed in April 2005, as Examiner Tran referred to, does not appear on the Case History Report attached hereto. The Office Action mailed April 2005, as Examiner Tran referred to, is also not listed on the case index of the case file, as shown on the attached index for this particular case.

Sworn to and attested as follows at Dallas, Texas on 11/16/05:

AFFIANT:

Monica Gamez

Monica Gamez

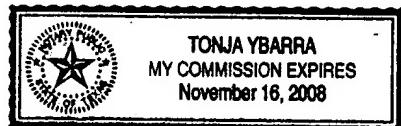
On this the 16th day of November, 2005, personally appeared before me Monica Gamez, to me known to be the person named in and who executed the above instrument, and acknowledged that she executed the same for the uses and purposes therein mentioned.

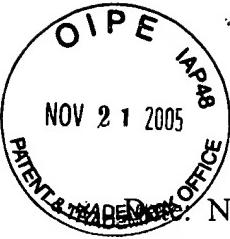
Tonja Ybarra

Notary Public

My commission expires: 11/16/08

(seal)





Case Tracking System
Case History Report

Date: November 15, 2005

U.S. Patent Case

Case Number: **RSW00-0010**

Status: **Pending**

Priority Case Number: (none)

Client: IBM Corporation - Raleigh 1

Application Serial Number: 09/503,608

Filing Date: 2/11/2000

Application Type: Utility

Title: Technique of Defending Against Network Flooding Attacks Using a Connectionless Protocol

Sr. Attorney Id: DWY

Primary Attorney Id: (none)

Administrator Id: KDD

Last Office Action (Final)

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Date Sent: 6/21/2004

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Date Recvd in PTO: 6/21/2004

Item	Due	Completed
File New Application-USA	2/11/2000	
Office Action Received-USA	11/17/2003	11/17/2003
Response Sent-USA	2/17/2004	2/12/2004
Office Action Postcard Due-USA	3/12/2004	Received
Office Action Received-USA	4/22/2004	4/22/2004
Final OA Response Sent-USA	6/22/2004	6/21/2004
Office Action Postcard Due-USA	7/21/2004	Received
Advisory Action Due-USA	7/21/2004	Received
Notice of Appeal Due-USA	7/22/2004	8/20/2004
Notice of Appeal Postcard due-USA	9/20/2004	Received
Appeal Brief Due-USA	10/20/2004	10/20/2004
Appeal Brief Postcard Due-USA	11/20/2004	Received
Receive Answer Brief-USA	2/22/2005	

IBM CORPORATION
RSW00-0010

**TECHNIQUE OF DEFENDING AGAINST NETWORK FLOODING ATTACKS USING
A CONNECTIONLESS PROTOCOL**

1.	PATENT APPLICATION	02/11/00
2.	FILING RECEIPT	02/11/00
3.	NOTICE OF RECORDATION	02/11/00
4.	IDS	03/07/03
5.	SUPPLEMENTAL IDS	05/30/03
6.	OFFICE ACTION	11/17/03
7.	RESPONSE TO OFFICE ACTION	02/12/04
8.	FINAL OFFICE ACTION	04/22/04
9.	RESPONSE TO FINAL OFFICE ACTION	06/21/04
10.	ADVISORY ACTION	08/09/04
11.	NOTICE OF APPEAL	08/20/04
12.	CHANGE OF CORRESPONDENCE ADDRESS	09/14/04
13.	APPEAL BRIEF	10/20/04